

**REMARKS/ARGUMENTS**

Reconsideration and allowance in view of the foregoing amendment and the following remarks are respectfully requested.

Claims 4-6 and 45-48 are now pending.

Applicant notes with appreciation the Examiner's return of a copy of the Form PTO-1449 submitted with the Information Disclosure Statement of July 24, 2003. It is noted, however, that the Examiner inadvertently failed to initial the listed U.S. Patent No. 4,866,409 and the listed "Other Document", Journal of Nippondenso Technical Disclosure. Copies of those Forms PTO-1449 are attached. It is respectfully requested that the Examiner return fully initialed copies of the Forms PTO-1449 so that the undersigned's records will be complete.

The specification and Figure 8 have been amended above to change reference numeral 100 to reference numeral 114. This amendment has been made since reference numeral 100 was inadvertently twice used, for the space at the end corner in Figure 8 and also in Figure 27 to designate the spool welding die.

Claims 4-6 were rejected under 35 USC 112, second paragraph, as being indefinite. Claim 4 has been reviewed and revised above to address the Examiner's rejection. It is believed that claim 4 is now in full compliance with 35 USC 112, second paragraph.

Claim 4 was rejected under 35 USC 102(b) as being anticipated by EP 0703588 - Kojima et al (not Adachi as indicated in Examiner's Official Action). Applicant respectfully traverses this rejection.

Anticipation under Section 102 of the Patent Act requires that a prior art reference disclose every claim element of the claimed invention. See, e.g., Orthokinetics, Inc. v. Safety Travel Chairs, Inc., 806 F.2d 1565, 1574 (Fed. Cir. 1986).

While other references may be used to interpret an allegedly anticipating reference, anticipation must be found in a single reference. See, e.g., Studiengesellschaft Kohle, G.m.b.H. v. Dart Indus., Inc., 726 F.2d 724, 726-27 (Fed. Cir. 1984). The absence of any element of the claim from the cited reference negates anticipation. See, e.g., Structural Rubber Prods. Co. v. Park Rubber Co., 749 F.2d 707, 715 (Fed. Cir. 1984). Anticipation is not shown even if the differences between the claims and the prior art reference are insubstantial and the missing elements could be supplied by the knowledge of one skilled in the art. See, e.g., Structural Rubber Prods., 749 F.2d at 716-17.

The present invention as recited in claim 4 and which is shown in Figures 8 and 9 is characterized in particular in that at least one of the two longitudinal end corners of the central core assembly 13 is surrounded by, that is disposed in, a space 114. As described at pages 20-21, the space is not filled with any insulating material and thus defines an empty, air gap between the corners of the central core assembly and surrounding members.

EP '588 describes in column 5, lines 41-55 that insulating oil 29 fills the inside of case 100 to a level as illustrated in Figure 1. This insulating oil 29 enters the open end of the primary spool 514 through opening 514d and is described as filling every space within case 100. As such, all spaces including a space around magnet 504 is filled with oil 29 from the bottom up to the uppermost level shown in Figure 1a. Thus, although magnet 504 is not in contact with, e.g., member 514a, the longitudinal end corners of magnet 504 are not disposed in an empty space. Rather, insulating material in the form of oil 29 is disposed around the longitudinal end of magnet 504 having entered through opening 514d. As specified in amended claim 4, the structure claimed by applicant provides a space that is free of insulating material at at least one of the two longitudinal end corners of the central core assembly. Because the area around magnet 504 is filled with insulating oil (insulating material) 29, EP '588 does not anticipate the structure recited in claim 4.

New claim 45 is also submitted to be distinct from EP '588 since claim 45 provides a cylindrical buffer member made of elastic material disposed between the central core and the spool and partly covering the magnet to leave a space so that the corner is held free from contact with other members disposed to cover the corner. Claim 46 provides that the space is maintained empty thus underscoring the differences between the invention claimed therein and EP '588.

In view of the foregoing, reconsideration and withdraw of the rejection based on EP '588 is solicited.

Claims 5-6 were rejected as unpatentable over EP '588 Adachi [sic; Kojima et al] in view of Ebinuma et al. Applicant respectfully traverses this rejection.

Claims 5 and 6 are submitted to be patentable over EP '588 for the reasons advanced above. The Examiner's further reliance on Ebinuma does not overcome the deficiencies of EP '588 noted above. Furthermore, in Ebinuma it is not clear whether resin film 615 covers longitudinal end corners and longitudinal ends. It thus has no first and second buffer members. Therefore, even if EP '588 and Ebinuma could be combined the subject matter of claims 5 and 6 would still not be anticipated nor obvious.

All objections and rejections having been addressed, it is respectfully submitted that the present application is in condition for allowance and an early Notice to that effect is earnestly solicited.

SUGIURA et al  
Appl. No. 10/625,683  
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Respectfully submitted,

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**AMENDMENTS TO THE DRAWINGS**

The attached sheet of drawings includes changes to Fig.8 consistent with the correction to the specification.

Attachment: Replacement Sheet(s)